IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 4873 of 2006

Date of decision : 14.9.2006.

Dr.Inderjit Siungh Bansal

.....Petitioner.

Versus

Ajit Singh & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr.Malkeet Singh, Advocate
for the petitioner.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 18.7.2006 passed by the learned Additional Civil Judge (Sr.Divn.), Nawanshahr dismissing the application filed by the petitioner for restoration of the suit for non-compliance of the orders passed by the Court for furnishing registered cover.

The learned counsel for the petitioner contends that earlier in the main suit also the defendants-respondents were not served and an application under Order 5 Rule 20 C.P.C. was moved for substituted service. However, the money could not be deposited as the suit was dismissed for non-prosecution and an application for restoration was made. The learned counsel for the petitioner contends that it was for the reasons that the petitioner was trying to find out the addresses of the respondents that the registered cover was not furnished. Accordingly,

learned counsel prays for one more opportunity to furnish the registered cover or in the alternative to move application for substituted service of unserved respondents.

In the interest of justice, the impugned order is set aside. Opportunity is granted to the petitioner to take steps for service of unserved respondents.

Disposed of.

September 14,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**